



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 7, 2023

BY ECF AND EMAIL

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Stephen Buyer, 22 Cr. 397 (RMB)*

Dear Judge Berman:

The Government respectfully submits this letter in brief response to the defendant's July 28, 2023 letter advising the Court of the post-indictment legal fees associated with the "principal attorney" representing Guidehouse and T-Mobile in their respective matters, and purporting to include a calculation of those fees. (Dkt. 153).

As a threshold matter, to the extent the defense letter can be read to suggest that the victims are entitled to restitution only for post-indictment legal fees or fees generated only by a single representative attorney, that position is unsupported by any case law, and the defendant cites none. Instead, the Court should order restitution in full for legal fees incurred in assisting the criminal prosecution, whether pre- or post-indictment, for the reasons set forth in the Government's July 6, 2023 letter and supported by the declarations and unredacted invoices submitted to the Court on July 27, 2023. *See* 18 U.S.C. § 3663A(b)(2)(4) (mandating reimbursement by the defendant for "expenses incurred during participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense").

However, to the extent the Court would like to see a breakdown of legal fees by attorney, the Government understands from counsel for T-Mobile that the calculations in the defendant's July 28, 2023 letter are incorrect. T-Mobile provides a corrected breakdown below for the two Cleary Gottlieb ("Cleary") partners who performed legal work on the matter both before and after the defendant's indictment:

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Pre-Indictment Fees		
<i>Alex Janghorbani</i>		
Date	Hours	Billing rate
January 2022	■	■
February 2022	■	■
March 2022	■	■
April 2022	■	■
May 2022	■	■
June 2022	■	■
July 2022	■	■
Totals	■	\$62,632.90
<i>Matthew Solomon</i>		
Date	Hours	Billing rate
January 2022	■	■
February 2022	■	■
March 2022	■	■
April 2022	■	■
May 2022	■	■
June 2022	■	■
Totals	■	\$42,681.60

Post-Indictment Fees		
<i>Alex Janghorbani</i>		
Date	Hours	Billing rate
January 2023	■	■
February 2023	■	■
March 2023	■	■
Totals	■	\$66,047.30

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<i>Matthew Solomon</i>		
Date	Hours	Billing rate
January 2023	■	■
February 2023	■	■
March 2023	■	■
Totals	■	\$32,432.40

As the Court is aware, several other lawyers at Cleary, Simpson Thacher & Bartlett, and Schulte Roth & Zabel also performed legal services on behalf of the victims to assist the criminal prosecution, as set forth in the billing statements submitted. Should the Court have any additional questions or require any additional information as it relates to the request for restitution in this case, the Government would be happy to provide it.

Respectfully submitted,

DAMIAN WILLIAMS
 United States Attorney

By: /s/
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 Assistant United States Attorneys
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cc: Counsel for Stephen Buyer (by ECF and email)